

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KURT MARTIN,

Plaintiff,

VS.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

Case No: 4:21-cv-00069-RLW

JOINT MOTION FOR EXTENSION OF TIME RE: ADR REFERRAL

COME NOW the parties and hereby move this Court for an extension of sixty (60) days to complete Alternative Dispute Resolution (ADR) in this matter. In support of their joint motion, the parties state as follows:

1. The Court's ADR referral requires the parties to agree upon a mediator and mediation date and file a designation of neutral no later than October 11, 2021. Mediation is to be completed no later than November 15, 2021. *See* ADR referral order, Doc. #13.

2. Lead counsel for Plaintiff Nelson Wolff presently has trials scheduled to begin on October 12, 2021 and November 15, 2021, with no indication at this time that either case will be resolved by settlement.

3. The parties have conducted written discovery, and the deposition of Plaintiff Kurt Martin is scheduled for October 26, 2021. The parties are also in the process of scheduling depositions of Defendant's corporate representatives, which will need to be completed in order to allow the parties to fully evaluate the case. The parties do not anticipate these depositions can be completed prior to November 15, 2021.

4. The parties agree that a meaningful mediation process would be difficult given the current ADR referral deadline, and further agree that neither party will be prejudiced by the requested extension of time.

5. The parties have agreed upon a mediator who is on the approved panel, Mike Geigerman, and have reserved a mediation date of January 10, 2022.

6. The parties propose that the Court extend the ADR completion date by sixty (60) days, from November 15, 2021 to **January 15, 2022**.

WHEREFORE, the parties request that this Court grant their joint motion for extension of time regarding the Court's ADR referral, and provide any other and further relief this Court deems just and proper.

DATE: October 11, 2021

/s/ Steven K. Luther

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